

Message Text

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PAGE 01 STATE 117978
ORIGIN ARA-10

INFO OCT-01 ISO-00 SCS-03 L-03 H-01 SCA-01 DHA-02
SNM-02 PRS-01 /024 R

DRAFTED BY ARA/AND:LLEVINE:FBL
APPROVED BY ARA:TATODMAN
SCA/SCS:DAVIS (INFO,
L:FIELDS (INFO
ARA/AND:RBARNEBEY (DRAFT)
ARA:FDEVINE (DRAFT)
-----211532Z 124102 /73
O 211518Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY LA PAZ IMMEDIATE

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E.O. 11652:N/A

TAGS:

SUBJECT: AMERICAN PRISONERS IN BOLIVIA: "CONCERNED
PARENTS" MEET WITH ASSISTANT SECRETARY TODMAN

1. BEGIN SUMMARY: AFTERNOON OF MAY 18, GROUP OF PARENTS
AND RELATIVES OF THE PRISONERS AND INTERESTED CONGRESSIONAL
STAFFERS RECEIVED A BRIEFING FROM ASSISTANT SECRETARY
TODMAN ON HIS DISCUSSIONS WITH BOLIVIAN OFFICIALS ON THE
PRISONER PROBLEM. TODMAN STRESSED AWARENESS OF BOLIVIAN
OFFICIALS OF SERIOUSNESS OF THE PROBLEM OF DELAYED JUSTICE.
HE TOLD THE GROUP THAT HE IS PERSONALLY CONVINCED THAT
THERE WILL BE MOVEMENT VERY SOON. THE GROUP SAID THEY
WERE DISAPPOINTED BY THE PRESENTATION AND HAD EXPECTED
MORE DRAMATIC NEWS. END SUMMARY.

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2. ON MAY 18, ASSISTANT SECRETARY TODMAN MET WITH 20
FAMILIES AND OTHER PERSONS INTERESTED IN THE PRISONERS
PLUS 5 CONGRESSIONAL STAFFERS. IN THE MEETING, WHICH
LASTED OVER ONE HOUR, TODMAN SUMMARIZED HIS CONVERSATIONS
WITH BOLIVIAN OFFICIALS AND TOOK QUESTIONS FROM THE GROUP.

3. TODMAN BEGAN BY SAYING THAT HE HAD DEVOTED MOST OF

HIS TIME IN LA PAZ TO THE PRISONER ISSUE. HE TOLD THE GROUP THAT HE HAD BROUGHT THE SUBJECT UP WITH EVERYONE

INVOLVED, INCLUDING PRESIDENT BANZER AND THAT HE HAD VISITED THE TWO JAILS IN LA PAZ AND HAD MET WITH THE PRISONERS IN GROUPS. HE SAID THAT HE HAD FOUND TOTAL RECOGNITION ON THE PART OF THE BOLIVIANS THAT "JUSTICE DELAYED IS JUSTICE DENIED."

4. HE THEN GAVE SOME BACKGROUND ON WHY LENGTHY DELAYS EXIST IN BOLIVIAN COURTS, NOTING THAT THE GOB HAD NOT ANTICIPATED THE LARGE NUMBER OF ARRESTS THAT RESULTED FROM ENFORCEMENT OF THE NARCOTICS LAWS. HE ADDED THAT DUE TO THE HARSH PUNISHMENTS PRESCRIBED BY THE 1973 LAW, MANY DEFENSE ATTORNEYS HAD BEEN HESITANT TO PUSH CASES FORWARD TO SENTENCING UNTIL PASSAGE OF NEW LAW.

5. AS TO SPECIFICS, TODMAN TOLD THE GROUP THAT HE PRESSED FOR THE IMMEDIATE RELEASE OF THE TWO PRISONERS WHO HAVE BEEN IMPRISONED LONGER THAN THEIR SENTENCES AND THE EARLY RELEASE OF THE TWO OTHERS ALREADY SENTENCED. HE MENTIONED ANOTHER CASE WHERE RELEASE HAD ALREADY BEEN ORDERED (PRE-SUMABLY MARRERO) AND TWO OTHERS WHERE THE EVIDENCE WAS WEAK. HE SAID THAT THE BOLIVIANS PROMISED SWIFT ACTION BUT DID NOT SET ANY DATES FOR THESE ACTIONS. TODMAN SAID THAT HE WAS PERSONALLY CONVINCED OF THE SINCERITY OF THE GOB AND PREDICTED THAT 30 DAYS WOULD BE A REASONABLE PERIOD IN WHICH TO EXPECT SOME RELEASES. HE ADDED THAT HE SPECIFICALLY ASKED PRESIDENT BANZER WHY SUPREME LIMITED OFFICIAL USE

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PAGE 03 STATE 117978

COURT REVIEW WAS OBLIGATORY AFTER SENTENCING. HE SAID THAT BANZER'S REPLY WAS THAT HE WOULD INVESTIGATE THE POSSIBILITY OF CHANGING THE LAW. TODMAN WENT ON TO SAY THAT TWO NEW CRIMINAL COURTS HAD BEEN ESTABLISHED AND RESTATED HIS PERSONAL CONVICTION THAT THE GOB WILL MOVE FAST.

6. ON THE ISSUE OF AMNESTY, HE SAID THAT THE GOB HELD THAT IT WOULD BE POLITICALLY AND LEGALLY IMPOSSIBLE. AMNESTY COULD NOT BE GRANTED FOR SOME AND NOT OTHERS.

7. TODMAN MENTIONED BOLIVIAN INTEREST IN THE POSSIBILITY OF A PRISONER EXCHANGE TREATY. HE ADMITTED THAT ONE MIGHT HAVE A ROUGH TIME IN THE SENATE BUT PROMISED TO REVIEW THE POSSIBILITY. HE ADDED THAT ANY PERSONAL VISITS BY FAMILY MEMBERS TO LA PAZ WOULD BE APPRECIATED BY THE PRISONERS.

8. AFTER A SHORT RECESS REQUESTED BY THE PARENTS TO

CAUCUS, THE QUESTIONS BEGAN. THE IDEA OF A PRISONER EXCHANGE TREATY WAS REJECTED BY SEVERAL OF THE GROUP AS NOT BEING PRACTICAL AND LEAVING OPEN THE POSSIBILITY THAT THE US PRISONERS WOULD RECEIVE STIFFER SENTENCES

WITH THE PROSPECT OF EXCHANGE. THE GROUP WANTED TO KNOW WHO GAVE TODMAN THE PROMISE OF SPEEDY ACTION AND HOW DID HE FEEL ABOUT MORE PROMISES AFTER SO MANY HAD GONE UNFULFILLED. TODMAN SAID THAT HE WOULD NOT HAVE WANTED A PROMISE FOR A FINAL DATE BUT THAT HE WAS PERSONALLY CONFIDENT OF PROMPT ACTION.

10. THE GROUP ZEROED IN ON A STATEMENT MADE BY TODMAN THAT HE KNEW OF NO SERIOUS HUMAN RIGHTS VIOLATIONS OF THE PRISONERS IN BOLIVIA. HE REPLIED THAT HE HAD ALREADY NOTED THE LACK OF PROMPT JUSTICE FOR THE PRISONERS. THE GROUP PRESSED FURTHER SPECIFICALLY REFERRING TO REPORTS LIMITED OFFICIAL USE

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PAGE 04 STATE 117978

OF BEATINGS DURING AND AFTER INTERROGATION. THEY TIED THE QUESTIONS ABOUT BEATINGS TO THE ADMINISTRATION'S HUMAN RIGHTS POLICY. TODMAN OFFERED TO INVESTIGATE ACCUSATIONS OF BEATINGS IN THE JAIL, ESPECIALLY A STATEMENT BY FLOYD'S BROTHER-IN-LAW THAT HE WAS BEATEN BY THE WARDEN OF HIS JAIL. THERE WERE ALSO COMPLAINTS ABOUT THE LACK OF CONSULAR VISITS: BOGGESS' FATHER SAID THAT HIS SON HAD NEVER BEEN VISITED BY THE CONSUL UNTIL JANUARY OF THIS YEAR.

11. IN ALL, THE GROUP SAID THAT THE RESULTS OF TODMAN'S TRIP WERE DISCOURAGING. THEY SAID THEY VIEWED HIS BRIEFING AS THE "SAME OLD LINE."

12. THE GROUP MADE SOME OTHER POINTS ABOUT DEPORTATION, SEPARABILITY OF CASES, CONSULAR SERVICES AND JAIL VISITS IN COCHABAMBA, THE FARMER STABBING, GOLDMAN'S MOVE TO A CLINIC, AND THE DISTRIBUTION OF THE AMERICANS' CASES AMONG THE NEW JUDGES. ADDITIONAL DETAILS ARE BEING REPORTED SEPTELS. AS THE MEETING ADJOURNED, DR. FARMER REQUESTED AN APPOINTMENT FOR MAY 19 WITH THE DEPUTY SECRETARY. THE REQUEST HAS NOT BEEN APPROVED SINCE THE DEPUTY SECRETARY HAS BEEN UNAVAILABLE. THE GROUP LEFT THE BUILDING SHORTLY AFTER 6:00 PM. CHRISTOPHER

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ORIGIN SNM-02

INFO OCT-01 ARA-06 ISO-00 /009 R

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DRAFTED BY:S/NM:DHERNST

APPROVED BY:S/NM:DHERNST

-----231553Z 007286 /40

O 231448Z MAY 77 ZFF4

FM SECSTATE WASHDC

TO AMEMBASSY LIMA NIACT IMMEDIATE

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FOLLOWING REPEAT STATE 117978 ACTION LA PAZ MAY 21.

QUOTE

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E.O. 11652:N/A

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRISONERS WELFARE
Control Number: n/a
Copy: SINGLE
Sent Date: 21-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: LLEVINE:FBL
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770182-0113
Format: TEL
From: STATE
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770531/aaaabaky.tel
Line Count: 329
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Litigation Codes:
Litigation History:
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Message ID: e2e2428c-c288-dd11-92da-001cc4696bcc
Office: ORIGIN ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2419667
Secure: OPEN
Status: NATIVE
Subject: AMERICAN PRISONERS IN BOLIVIA: "CONCERNED PARENTS" MEET WITH ASSISTANT SECRETARY TODMAN
TAGS: CASC, PFOR, BL
To: LA PAZ
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/e2e2428c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
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EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009